

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
January 8, 2004

_____ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control
- II. **SUBJECT:** Administrative and Consent Orders issued during the period November 1, 2003, through November 30, 2003.
- III. **FACTS:** For the period November 1, 2003, through November 30, 2003, Environmental Quality Control issued thirty-one (31) Consent Orders with total assessed civil penalties in the amount of \$159,200. There were no Administrative Orders placed in force during this reporting period.

Unless otherwise specified, "Previous Orders" as listed in this report include the orders issued by Environmental Quality Control programs within the last five (5) years.

<u>Bureau</u>	<u>Administrative Orders</u>	<u>Assessed Penalties</u>	<u>Consent Orders</u>	<u>Assessed Penalties</u>
Land & Waste Management				
Hazardous Waste	0	\$ 0	3	\$ 5,800
Solid Waste	0	0	0	0
UST Program	0	0	2	250
SUBTOTAL	0	\$ 0	5	\$ 6,050
Water				
Drinking Water	0	\$ 0	6	\$ 4,400
Water Pollution	0	0	11	32,800
SUBTOTAL	0	\$ 0	17	\$ 37,200
Air Quality				
SUBTOTAL	0	\$ 0	9	\$115,950
TOTAL	0	\$ 0	31	\$159,200

ANALYSIS: During the reporting period, Hazardous Waste Enforcement issued a consent order against a Respondent, in part, for failure to clean up a hazardous waste discharge and failure to minimize the possibility of any releases to the air, soil, or surface water. The waste that was discharged to the environment was a spent resin that is characteristically hazardous for ignitability. The Respondent excavated soil in the area where the spill occurred and subsequently designed its treatment and storage area with secondary containment to prevent future discharges.

Drinking Water Enforcement issued a consent order against a municipal water system for exceeding the maximum contaminant level for five haloacetic acids (HAA5). The Respondent agreed to conduct a disinfection byproducts reduction study, including submission of a corrective action plan to address the violation. The order included a stipulated penalty of \$4,000.00 for failure to comply with the requirements of the order. A stipulated penalty was assessed because this is the first year surface water facilities serving greater than 10,000 people have been required to determine HAA5 violations.

Water Pollution Enforcement issued two separate consent orders against the same owner/operator of two separate residential wastewater treatment facilities. The consent orders included civil penalties totaling \$8,400.00 for exceeding permitted discharge limits. The Respondent agreed to submit corrective action plans to address the violations. The consent orders issued against this Respondent are Agenda Item numbers 14 and 15. These Agenda Items include previous orders issued against this Respondent for violations at other residential WWTFs that it owns and operates.

Air Quality Enforcement issued a consent order against a Respondent, in part, for exceeding its permitted emissions limits for volatile organic compounds (VOC) and hazardous air pollutants (HAP). The consent order included a civil penalty of \$67,500.00. The Respondent subsequently implemented a new system that has reduced VOC and HAP emissions to well below permitted limits.

Of the thirty-one (31) consent orders issued by EQC enforcement programs during the reporting period, the enforcement programs report, to date, that twenty-one (21) Respondents have either complied with all requirements of the orders or are currently in compliance with schedules required in those orders.

Submitted by:

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Deputy Commissioner for Environmental Quality Control